

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Dennis Dupray on December 20<sup>th</sup>, 2007 and January 9<sup>th</sup>, 2009.

As of the amendment submitted 11/13/2007 claims 1 through 282 were cancelled and claims 283 through 359 were pending.

A supplemental amendment introduced 12/13/2007 presented claims 205 through 283 without address to the previously presented claims 283 through 359. As claims 1 through 282 have been previously cancelled these claims may not be subsequently re-introduced. In order to correct this oversight the following Examiners amendment is presented.

The application has been amended as follows:

The claims amendment submitted to the office on December 13<sup>th</sup>, 2007 are to be renumbered in the following manner.

Claims numbers 205 through 283 of the December 13<sup>th</sup>, 2007 are to be renumbered in order as 360 through 438.

For claims 360 through 436 replace each claim status identifier with -- (New) -- after the first claim number and before the first full word of each claim. Such that the claim identifier for all claims 360 through 438 reads (new).

Claims 1 through 359 are cancelled.

Additionally in claim 458 replace "457" with -399-.

End of Examiner's amendment.

### **Reasons for Allowance**

The following is an examiner's statement of reasons for allowance: The prior art of record when considered alone or in combination does not teach or reasonably provide for the delivery unsolicited advertisement to a user through an overlay presentation in the detail as described by the pending claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ROBERT MOSSER whose telephone number is (571)272-4451. The examiner can normally be reached on 8:30-4:30 Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dmitry Suhol can be reached on (571) 272-4430. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Dmitry Suhol/  
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/R. M./  
Examiner, Art Unit 3714